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SUMMARY RECORD OF THE 49th MEETING

Chairman: Mr. ESCOVAR-SALOM (Venezuela)

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

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Procedural issues concerning the adoption of certain draft resolutions (A/C.6/51/L.10, L.15/Rev.1 and L.20)

1. Mr. ROSENSTOCK (United States of America) said that the draft resolutions on which the Committee had to take action envisaged activities with programme budget implications. Under rule 153 of the rules of procedure of the General Assembly, delegations should be provided with a statement of financial implications.

2. His delegation was therefore formally proposing that action should be deferred.

3. Mr. HAYES (Ireland), speaking on behalf of the European Union, said that the European Union was prepared to proceed with the adoption of the draft resolutions, including those with financial implications, provided that the Secretariat confirmed that an estimate of expenditure had indeed been prepared and that such estimate would be reflected in the record of the meeting. On that basis, the European Union would be satisfied with an oral report, because the most important thing was for statements of financial implications to be available in writing before the draft resolutions were submitted to the General Assembly.

4. Moreover, draft resolution A/C.6/51/L.16 on the non-navigational uses of international watercourses, adopted at the 48th meeting, also had financial implications. The European Union had not been informed of that fact and the action taken could not be considered as valid. If the Committee decided to postpone the consideration of the other draft resolutions - which the European Union would not wish to see happen - it would also have to reopen the debate on that draft resolution.

5. Ms. CUETO MILIÁN (Cuba) said that, if the Secretariat made an oral statement on the financial implications of the draft resolutions which had not yet been adopted, and if the Committee decided to annex such information to the texts of the resolutions adopted, the Committee could proceed with and conclude its work at the current meeting.

6. Mr. LEGAL (France) expressed full support for the statement made on behalf of the European Union. Referring to rule 153 of the rules of procedure of the General Assembly, he expressed surprise that some delegations were still unaware of those provisions. The information which the Secretariat could provide orally

would be sufficient for the Committee to conclude its work. However, in view of the statement made by the United States delegation, the Committee would now either have to defer action in order to be able to adopt all the resolutions by consensus, or to put them to a vote forthwith. While his delegation favoured adoption by consensus (therefore the deferment of action), such a solution entailed a considerable waste of resources.

7. Moreover, all resolutions with financial implications should be given equal treatment. He was therefore in favour of reopening the discussions on agenda item 144 on international watercourses, and revisiting the text which had been adopted despite the fact that the Secretariat had not indicated its financial implications.

8. Mr. ZHANG Kening (China) said that, in view of the Organization's present financial situation, it was not advisable to defer action.

9. Mr. POLITI (Italy), Ms. MEKHEMAR (Egypt), Mr. KAREV (Russian Federation), Mr. GRAY (Australia) and Ms. FERNANDEZ DE GURMENDI (Argentina) fully endorsed the statement made by the representative of Ireland on behalf of the European Union and the comments of the representative of France. Their delegations would accept a deferment of action, provided it led to the adoption of the draft resolutions by consensus, and permitted the reopening of discussions on resolution A/C.6/51/L.16, on international watercourses.

10. Ms. FLORES (Mexico) said that an oral report from the Secretariat would be sufficient to enable the Committee to finish its work at the current meeting. However, she was also prepared to agree to defer action, in the event of a consensus. On the other hand, her delegation did not favour reopening discussions on an item on which action had already been taken; moreover, the rules of procedure had not even provided for such an eventuality.

11. Ms. CUETO MILIÁN (Cuba) said that consensus was the response to the silent threat of a veto. However, Cuba was willing to be flexible despite the waste that would be entailed. The unfortunate development was due to the fact that at the 48th meeting a delegation had asked the Sixth Committee secretariat to express an opinion on the issues of absorption and reallocation of resources. Yet the secretariat did not have the authority to do so. If it would lead to a consensus, her delegation would agree to defer action. However, be that as it may, the statement of financial implications to be submitted in writing two days thereafter would not be different from the one that the secretariat could have provided orally at the present meeting.

12. Ms. SEMGURUKA (United Republic of Tanzania) said that she too would prefer action to be taken immediately. It would not be appropriate to reopen the debate on an item on which action had already been taken. However, should the Committee decide to defer action, it would be useful to ascertain beforehand whether a consensus could be achieved.

13. Mr. NGUYEN DUY CHIEN (Viet Nam) said that the draft resolutions should be adopted at the present meeting. However, it would be preferable not to reopen the debate on an item on which action had already been taken.

14. Ms. VARGAS (Colombia), supported by Mr. RAO (India) and Mr. AKBAR (Pakistan), said that, while she too would have preferred the Committee to take action immediately, she could agree to defer action on the item, provided that the secretariat submitted a statement of financial implications to delegations in a timely manner.

15. Mr. PATRIOTA (Brazil) said that, if action on the draft resolutions was deferred to another meeting, consultations should be held beforehand in order to save time.

16. Mr. HAYES (Ireland), speaking on behalf of the European Union, said that all decisions should be deferred to a subsequent meeting. However, the various draft resolutions should be adopted by consensus when the financial implications were provided. Moreover, the question of draft resolution A/C.6/51/L.5 should be put on the agenda of the following meeting.

17. Mr. KAREV (Russian Federation) said that only if draft resolutions A/C.6/51/L.10, A/C.6/51/L.15/Rev.1 and A/C.6/51/L.20 were adopted by consensus could consideration be given to reopening the debate on draft resolution A/C.6/51/L.16. Otherwise, of the four draft resolutions with financial implications, one would have been adopted by consensus while the other three would have been adopted by a vote. The Fifth Committee might see that as some kind of ranking of the draft resolutions, which was unacceptable.

18. Ms. WONG (New Zealand) said that, if no consensus was achieved at the following meeting on draft resolutions A/C.6/51/L.10, A/C.6/51/L.15/Rev.1 and A/C.6/51/L.20, she would move the reconsideration of draft resolution A/C.6/51/L.16 under rule 123 of the rules of procedure of the General Assembly.

19. Mr. ROSENSTOCK (United States of America) said that he would agree to defer action on the draft resolutions but would not agree to submit the procedure to the exorbitant conditions imposed by the European Union.

20. The CHAIRMAN said he would take it that the Committee wished to defer action on draft resolutions A/C.6/51/L.10, A/C.6/51/L.15/Rev.1 and A/C.6/51/L.20 to the following meeting, by which time delegations would have been provided with statements on the financial implications of those draft resolutions.

AGENDA ITEM 150: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

Draft resolution A/C.6/51/L.18 (Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions)

21. Ms. FLORES (Mexico), speaking as Chairman of the Working Group on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, introduced draft resolution A/C.6/51/L.18 on that matter. While some of the paragraphs of the draft text had been taken from General Assembly resolution 50/51, the third, fifth, eleventh and thirteenth preambular paragraphs and paragraphs 2, 3, 5 and 6 were new.

22. The CHAIRMAN said he took it that the Committee wished to adopt the draft resolution without a vote.

23. Draft resolution A/C.6/51/L.18 was adopted without a vote.

The meeting rose at 4.30 p.m.